## The Road To Tokyo 2021 How To Manage Athlete Selection

#### 12 June 2020 Daniel Saoul QC & Sam Little







## **Core Principles of a Good Process**

## The Objectives of a Good Selection Process

- Select the best athletes / best team possible
- Doing it fairly
- Doing it humanely

#### A Fair Process: Key Principles to Abide By

- Generally speaking (and in normal circumstances) respect the policy you have drafted
- Act reasonably: not irrationally or in a manner which is perverse, arbitrary or capricious
- Take decisions on a sound factual basis
- Decision makers must not be biased, and there must be no appearance of bias
- Considering all relevant factors, and not considering any irrelevant factors
- Respecting legitimate expectations

## Drafting a Selection Policy

- Clarity is crucial is the policy clear to someone outside the inner circle?
- Key topics to cover
  - What you are selecting for
  - How many places there are (or what this depends on)
  - The objectives of the selection process
  - Eligibility requirements
  - The composition of the Selection Panel
  - Selection criteria objective / subjective
  - How / when decisions will be taken, communicated to athletes and published
  - De-selection
  - Appeals procedure
- Consult with athletes circulate the draft in advance and invite comment this will provide protection for the governing body and get athletes' buy-in
- Publish as far in advance as possible

- Ensure the data collected in advance is accurate
- Any conflicts / potential bias identified, declared and managed
- Involve independent observers and/or legal advisers
- Selection panel intimately familiar with policy follow it step by step
- Approach the meeting rigorously check and challenge (even if you think you already know who you are going to pick). Don't just go through the motions.
- Minute thoroughly

- Set out the appeal procedure in your selection policy
- Identify the grounds of appeal in the policy
- The appeal body should be independent and should be legally qualified
- The procedure should be fair, transparent and inexpensive to the athlete
- Appellants should be given access to minutes seek agreement in advance to respect their confidentiality, and only redact to the extent strictly necessary. Remember, you want the athlete to get a fair hearing, and to feel they are getting a fair hearing
- Consider the rights of other athletes (e.g. those who might be de-selected if the appeal succeeds)
- The appeal body need not have the power to take a fresh selection decision but it must be able to set aside the existing one and send the case back to the selection panel for a fresh decision to be taken

- No perfect solution
- Respect the Core Principles
- Consider all implications of the alternatives available to you
- Be transparent and engage with the athletes
- If you do all of these things, difficult to criticise

## The British Athletes Commission

#### SAM LITTLE Head Of Athlete Support June 2020











## The BAC: Who are we?

Vision: To Empower and Support Great Britain's Athletes

Mission: We champion the athlete voice and work in partnership to enhance athlete wellbeing



World Class Advice and support



Interests of athlete at heart of decision making



Valued and respected Reputation



+

Uphold strong Governance & Leadership



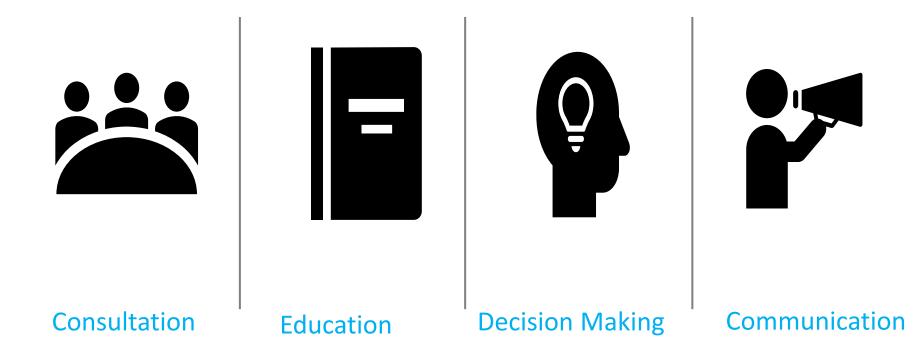
"Provide tailored end-to-end support for the athlete, delivered by appropriately qualified and experienced staff and where possible, enact early interventions and informal resolutions"

Athlete Support Services

- Programme and event selection
- Grievance and disciplinary
- Mental Health
- Classification
- Safeguarding
- Anti-doping
- Welfare
- Commercial



## Athlete Perspective on Selection





# Q&As